

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION – CINCINNATI**

BRYAN S. ALLEN,	:	Case No. 1:24-cv-185
	:	
Petitioner,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
WARDEN, SOUTHEASTERN	:	
CORRECTIONAL INSTITUTION,	:	
	:	
Respondent.	:	

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS (Doc. 13)**

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The Court has thoroughly reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. 13), to whom this case is referred. Noting that no objections have been filed and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, the Court hereby **ADOPTS** the entirety of said Report and Recommendations and **ORDERS** the following:

- 1) The Petition is **DISMISSED WITH PREJUDICE**;
- 2) As reasonable jurists would not disagree with this conclusion, Petitioner is **DENIED** a certificate of appealability;
- 3) It is **CERTIFIED** that any appeal by Petitioner would be objectively frivolous and any application by Petitioner for leave to proceed in forma pauperis on appeal would not be taken in good faith; and

4) This case is hereby **TERMINATED** from the Court's docket.

**IT IS SO ORDERED.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

By:   
JUDGE MATTHEW W. McFARLAND